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for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MYRA PERLEN REVOCABLE TRUST; MYRA
PERLEN, individually and in her capacity as
Trustee of the Myra Perlen Revocable Trust; and
STUART PERLEN, in his capacity as Trustee of
the Myra Perlen Revocable Trust and individually,

Adv. Pro. No.10-05078 (SMB)

Defendants.

STIPULATION REGARDING DISMISSAL OF CERTAIN CLAIMS

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and Defendants MYRA PERLEN REVOCABLE TRUST; MYRA PERLEN, individually and in her capacity as Trustee of the Myra Perlen Revocable Trust; and STUART PERLEN, in his capacity as Trustee of the Myra Perlen Revocable Trust and individually (individually and collectively, the “Defendants”), by and through their counsel, Golenbock Eiseman Assor Bell & Peskoe LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 2, 2010, the Trustee filed the Complaint against the Defendants.
2. Defendants have yet to respond to the Trustee’s Complaint.
3. On June 22, 2015, the United States Supreme Court denied the Trustee’s writ of certiorari regarding 11 U.S.C. § 546(e).
4. Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, as incorporated by Rule 7041 of the Federal Rules of Bankruptcy Procedure, the Trustee’s claims in Counts One and Three through Seven of the Complaint are hereby dismissed with prejudice against Defendants in the above-captioned adversary proceeding. This Stipulation has no effect on the Trustee’s remaining Counts in the Complaint.
5. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall

be deemed an original.

Dated: July 16, 2015

BAKER & HOSTETLER LLP

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**GOLENBOCK EISEMAN
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Trust; Myra Perlen, individually and in her
capacity as Trustee of the Myra Perlen Revocable
Trust; and Stuart Perlen, in his capacity as Trustee
of the Myra Perlen Revocable Trust and
individually*